

BEFORE THE AIR QUALITY CONTROL COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF CHANGES TO THE RULES
OF PRACTICE AND PROCEDURE OF THE AIR
QUALITY CONTROL COMMISSION OF THE
STATE OF COLORADO; REGULATION NUMBER
3 STATIONARY SOURCE PERMITTING AND AIR
POLLUTANT EMISSION NOTICE
REQUIREMENTS; REGULATION NUMBER 6
STANDARDS OF PERFORMANCE FOR NEW
STATIONARY SOURCES; AND REGULATION
No. 7 CONTROL OF OZONE VIA OZONE
PRECURSORS (EMISSIONS OF VOLATILE
ORGANIC COMPOUNDS AND NITROGEN
OXIDES)

TRACKING NOS: 2013-01215,
-01216, and -01217

CCR NOS: 5 CCR 1001-5, -8, -9

MOTION TO ALLOW TELEPHONIC PARTICIPATION BY LA PLATA COUNTY
ENERGY COUNCIL AT PREHEARING CONFERENCE ON JANUARY 17, 2014
AT 9:30 A.M.

COMES NOW La Plata County Energy Council ("LPCEC"), by and through its undersigned counsel, and hereby submits its Motion to Allow Telephonic Participation by LPCEC at the Prehearing Conference on January 17, 2014, stating as follows:

1. Pursuant to 5 CCR 1001-1, Section V.E.6.a, LPCEC alleges that there is good cause to allow its participation at the Prehearing Conference via telephone. Both the executive director for LPCEC and its undersigned attorney reside and work in Durango, Colorado approximately 337 miles from Denver, Colorado. The attorney for La Plata County, Todd Weaver, will attend in person having already made reservations. Mr. Weaver said to undersigned counsel that he is agreeable to LPCEC using the County's "line" as set forth in this morning's order.
2. LPCEC is a tax exempt and small trade association, which has no taxable income, only member contributions.
3. To require in person participation for a short procedural prehearing conference would create undue hardship and expense for LPCEC.
4. The applicable procedural rules are intended to promote and facilitate public participation in decision making. LPCEC believes it should be allowed to participate by telephone as it was in the last conference held, which was accomplished effectively with multiple parties appearing telephonically.

WHEREFORE, LPCEC respectfully seeks entry of an order allowing its telephonic participation at the Prehearing Conference set for January 17, 2014.

Respectfully submitted this 14th day of January, 2014.

LA PLATA COUNTY ENERGY COUNCIL

By: 

Thomas P. Dugan, Esq.
Dugan & Associates, P.C.
900 Main Avenue, Suite A
Durango, Colorado 81301

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of January, 2014, a true and correct copy of the foregoing MOTION TO ALLOW TELEPHONIC PARTICIPATION BY LA PLATA COUNTY ENERGY COUNCIL AT PREHEARING CONFERENCE ON JANUARY 17, 2014 AT 9:30 A.M. was sent via electronic mail to the following:

cdphe.aqcc-comments@state.co.us; Theresa.Martin@state.co.us; jloewy@mac.com;
William.Allison@state.co.us; Garrison.Kaufman@state.co.us; Kirsten.King@state.co.us;
Tom.Roan@state.co.us; Clay.Clarke@state.co.us; Robyn.Wille@state.co.us; Linda.Miller@state.co.us;
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MPJ